REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1-2, 4-16 and 18-27 are now present in the application. Claims 1, 5, 13-14 and 27 have been amended. Claims 3 and 17 have been cancelled. Claims 1 and 14 are independent. Reconsideration of this application, as amended, is respectfully requested.

Amendments to the Claims

Independent claim 1 has been amended to explicitly recite that the mark in points are made further "according to joints of the clips." Independent claim 14 has been similarly amended. The amendments to claims 1 and 14 are made by incorporating the limitation of original claims 3 and 17, respectively. Therefore, no new matter is introduced.

Rejection of Claim 1-27 under 35 U.S.C. §101

Claims 1-27 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Accordingly, Applicant amends independent claim 1 to explicitly recite a post-computer activity "displaying the clips," which is supported by the originally filed specification, and thus no new matter is added. Claim 14 is similarly amended. It is respectfully believed that such limitation constitutes a practical application and is more than software *per se*, therefore rendering the claimed invention statutory.

Rejection of Claim 13 under 35 U.S.C. §112

Claim 13 is rejected to under 35 U.S.C. §112, second paragraph, as being indefinite because it is unclear whether the "mark in point" or "effect duration of the mark in point" is adjusted. Applicant respectfully notes that what is adjusted is the "effect duration of the mark in point." Applicant amends claim 13 accordingly, and claim 27 is similarly amended.

Rejection of Claims 1-10 and 14-24 under 35 U.S.C. §103(a)

Claims 1-10 and 14-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art in view of Park (U.S. Patent No. 6,995,805). Applicant respectfully traverses the rejection for the following reasons.

Park

Park is directed to method and system for scene change detection, in which scene changes are detected within a single clip, for example a digital video clip 111 (col. 5, line 4), or a video clip 500 (col. 6, line 49). Specifically, a frame is measured and then compared to a predecessor frame; and the difference between the frames is thus evaluated to determine whether the scene change occurs.

Claimed invention

The claimed invention is directed to video editing method and system for automatically and efficiently adding effect. Accordingly to one aspect of the claimed invention, the effect(s) are added at mark in points, which are made according to some schemes. For example, the mark in

points are made by using a scene scan, and further according to joints of the clips, as in the amended Claim 1. In another embodiment, the mark in points are made according to the scene information that are added to the clips (Claim 4), or according to the recording time (Claim 10).

Arguments

The claimed invention as amended is patentable over Applicant's admitted prior art in view of Park primarily on the reason that the cited arts, either alone or in combination (if combinable), lack the claimed limitations.

Specifically, according to one aspect of the claimed invention, the mark in points are made "according to joints of the clips." This feature is recited in the originally filed Claim 3, and is now incorporated into Claim 1. The Examiner asserts in the Office Action that Park discloses said mark in points are made according to the joints between clips (note col. 6, lines 35-46; col. 7, lines 40-45), because joints between clips are a scene change.

Applicant disagrees with the assertion and the rejection. The whole disclosure of Park is exclusively directed to detecting scene changes within ***a*** clip. It is noted that "[s]hown in FIG. 1 is ***a*** digital video clip 110" (col. 5, line 4), and "[s]hown in FIG. 5 are frames from ***a*** video clip 500" (col. 6, line 49). Throughout the disclosure of Park, no plural form of the "clip" is used. The "joints" asserted by the Examiner are improperly inferred from Park without basis. In other words, a person skilled in the pertinent art would not infer "joints between clips" as there is no such teaching, explicitly or implicitly, in Park. Even Park probably may be adapted to multiple clips, there is still no teaching that the mark in points are made according to joints of the clips, as claimed.

For the foregoing reasons, as Applicant's admitted prior art and Park lack the claimed limitations, either alone or in combination (if combinable), it is respectfully submitted that the claimed invention is thus patentable over the cited prior art.

Another independent claim 14 is traversed on the same rationale discussed above. With respect to dependent claims not specifically mentioned, it is submitted that these claims are patentable not only by virtue of their dependency on their respective base claims, but also for the totality of features recited therein.

For example, regarding claim 5, the Examiner asserts in the Office Action that Park discloses said mark in points are further made according to the scene information (note col. 6, lines 35-46; col. 7, lines 40-45), because scene information is a scene change.

Applicant disagrees with the assertion and the rejection. In the Park's disclosed method, a frame is measured and then compared to a predecessor frame; and the difference between the frames is thus evaluated to determine whether the scene change occurs. To the contrary, the claimed "scene information" is added to the clips, rather than being measured. The Examiner's inference—the scene information is a scene change—is concluded without basis.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 are respectfully requested.

Rejection of Claims 11-13 and 25-27 under 35 U.S.C. §103(a)

Claims 11-13 and 25-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art in view of Park, and further in view of Matsui (US Patent 6,674,955).

Applicant respectfully traverses the rejection for the same rationales discussed above. Since Matsui has only been relied on for its teachings related to some dependent claims and fails to disclose the above combinations of elements as set forth in amended independent claims 1 and 14, Matsui also fails to cure the deficiency of Applicant's admitted prior art and Park. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 are respectfully requested.

Conclusion

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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